

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GARY OWENS,

Plaintiff,

v.

STATE TROOPER OSBOURNE,
et al.,

Defendants.

CASE NO. 2:07-CV-13858
JUDGE GERALD E. ROSEN
MAGISTRATE JUDGE PAUL J. KOMIVES

MEMORANDUM ORDER DENYING PLAINTIFF'S MOTION FOR
COURT TO TAKE JUDICIAL NOTICE (docket #19)

This matter is before the Court on plaintiff's motion for the Court to take judicial notice, filed on January 8, 2008. Rule 201 of the Federal Rules of Evidence allow the court to take judicial notice of "adjudicative facts" which are "not subject to reasonable dispute" because they are "either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot be questioned." FED. R. EVID. 201(b). Plaintiff's motion does not set forth any adjudicative facts of this nature. The motion, rather, consists primarily of legal argument. While the Court may and will consider those legal arguments in resolving the parties' various motions, the motion itself does not set forth any adjudicative facts appropriate for judicial notice under Rule 201. Accordingly, it is ORDERED that plaintiff's motion for the court to take judicial notice is hereby DENIED.

The attention of the parties is drawn to FED. R. CIV. P. 72(a), which provides a period of ten days from the date of this Order within which to file any objections for consideration by the District

Judge as may be permissible under 28 U.S.C. § 636(b)(1).

IT IS SO ORDERED.

s/Paul J. Komives
PAUL J. KOMIVES
UNITED STATES MAGISTRATE JUDGE

Dated: 8/15/08

The undersigned certifies that a copy of the foregoing order was served on the attorneys of record by electronic means or U.S. Mail on August 15, 2008.

s/Eddrey Butts
Case Manager